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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,850	02/14/2001	Steven Mark Gebert	BLD920000048US1	9299

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EXAMINER

CAMPBELL, JOSHUA D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,850

Applicant(s)

GEBERT ET AL.

Examiner

Joshua D. Campbell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-11,14-16,18-25,28-30,32-39 and 42-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-11,14-16,18-25,28-30,32-39 and 42-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 09/02/2005.
2. Claims 1, 2, 4-11, 14-16, 18-25, 28-30, 32-39, and 42-48 are pending in this case. Claims 1, 15, and 29 are independent claims. Claims 12, 26, and 40 have been cancelled. Claims 1, 15, and 29 have been amended. Claims 43-48 have been newly added.
3. The rejection of claims 1, 2, 4, 8-12, 14-16, 18, 22-26, 28-30, 32, 36-40, and 42 under 35 U.S.C. 102(a) as being anticipated by Adler et al. (hereinafter Adler, Extensible Stylesheet Language (XSL) Version 1.0, published on October 18, 2000) has been withdrawn in view of amendments.
4. The rejection of claims 5, 7, 19, 21, 33, and 35 under 35 U.S.C. 103(a) as being unpatentable over Adler et al. (hereinafter Adler, Extensible Stylesheet Language (XSL) Version 1.0, published on October 18, 2000) as applied to claims 2, 16, and 30 above, and further in view of Barry et al. (hereinafter Barry, US Patent Number 6,606,165, filed on January 8, 1999) has been withdrawn in view of amendments.
5. The rejection of claims 6, 20, and 34 under 35 U.S.C. 103(a) as being unpatentable over Adler et al. (hereinafter Adler, Extensible Stylesheet Language (XSL) Version 1.0, published on October 18, 2000) in view of Barry et al. (hereinafter Barry, US Patent Number 6,606,165, filed on January 8, 1999). as applied to claims 5, 19, and 33 above, and further in view of Sall (as found in the IDS - FOP: Formatting Object to

PDF Translator (James Tauber, published in 1999) has been withdrawn in view of amendments.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1, 2, 4, 8-11, 14-16, 18, 22-25, 28-30, 32, 36-39, and 42-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adler et al. (hereinafter Adler, Extensible Stylesheet Language (XSL) Version 1.0, published on October 18, 2000) in view of Saito et al. (hereinafter Saito, US Patent Number 5,323,312, issued on June 21, 1994).

Regarding independent claim 1, Adler discloses a method in which a source document including source content is received in XML (pages 17-18, section 1.1 Processing a Stylesheet). Then, a layout data structure (XSL stylesheet) which provides formatting properties and is separate from the source document and does not contain source content is received (pages 17-18, section 1.1 Processing a Stylesheet). The two documents are processed together and to determine formatting, including page divisions, of the source content (pages 20-21, Section 1.1.2 Formatting and pages 25-27, Section 1.2.1 Paging and Scrolling and Section 1.2.3 An Extended Page Layout Model). Adler also discloses a method in which multiple page objects are generated by filling the XML content into "containers", each of the objects containing the content and the information required to format the content, at which point the "containers" are

rasterized into page instances which are capable of being generated by an output device (pages 20-21, Section 1.1.2 Formatting and pages 25-27, Section 1.2.1 Paging and Scrolling and Section 1.2.3 An Extended Page Layout Model). Adler discloses that the page objects include the content that is to be placed on the pages, Adler does not explicitly state that the content consists of multiple content elements. However, Saito discloses that it was well known in the art that a structured document could consist of two parts a layout structure and a logical structure (source content), and when filling the page objects defined by the layout structure more than one content object from the logical structure could be used, thus allowing more than one content object to exist within each page object (column 1, lines 31-57 of Saito). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the method of Adler with the well-known material disclosed by Saito because it would have allowed the space in visible pages to be used completely by filling page objects with more than content object where it was warranted.

Regarding dependent claims 2 and 4, Adler also discloses a method in which the source document (XML) and the result document (XSL-FO) may be different formats, and the result document is formatted based on the layout data structure (XSL) (pages 17-18, section 1.1 Processing a Stylesheet and pages 20-21, Section 1.1.2 Formatting). Adler also discloses a method in which multiple page objects are generated by filling the XML content into "containers", each of the objects containing the content and the information required to format the content, at which point the "containers" are rasterized into page instances which are capable of being generated by

an output device (pages 20-21, Section 1.1.2 Formatting and pages 25-27, Section 1.2.1 Paging and Scrolling and Section 1.2.3 An Extended Page Layout Model).

Regarding dependent claims 8-10, Adler discloses a method in which page divisions may be presented in XSL-FO, which is a device independent language (pages 20-21, Section 1.1.2 Formatting and pages 25-27, Section 1.2.1 Paging and Scrolling and Section 1.2.3 An Extended Page Layout Model).

Regarding dependent claim 11, Adler discloses a method in which a page description language is used (pages 17-18, section 1.1 Processing a Stylesheet).

Regarding dependent claim 14, Adler discloses a method in which the source document does not indicate page divisions (pages 17-18, section 1.1 Processing a Stylesheet).

Regarding dependent claims 43-44, Adler does not explicitly disclose that a page object is filled with content objects until there is no more space, then the next page element is filled with the sequential content objects, or that page sequence elements exist in which the content is accessed in sequence and added to the page objects accordingly. However, Saito discloses that it was well known in the art that a structured document could consist of two parts a layout structure and a logical structure (source content in the logical page viewing sequence), and when filling the page objects defined by the layout structure more than one content object from the logical structure could be used per page until a page is full at which point the next page object is filled with content and so forth (column 1, lines 31-57 of Saito). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the method of

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Adler with the well-known material disclosed by Saito because it would have allowed the space in visible pages to be used completely by filling page objects before moving on to filling the next sequential page object.

Regarding independent claim 15 and dependent claims 16, 18, 22-25, 28, 45, and 46, the claims incorporate substantially similar subject matter as claims 1, 2, 4, 8-11, 14, 43, and 44. Thus, the claims are rejected along the same rationale as claims 1, 2, 4, 8-11, 14, 43, and 44.

Regarding independent claim 29 and dependent claims 30, 32, 36-39, 42, 47, and 48, the claims incorporate substantially similar subject matter as claims 1, 2, 4, 8-11, 14, 43, and 44. Thus, the claims are rejected along the same rationale as claims 1, 2, 4, 8-11, 14, 43, and 44.

8. Claims 5, 7, 19, 21, 33, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adler et al. (hereinafter Adler, Extensible Stylesheet Language (XSL) Version 1.0, published on October 18, 2000) in view of Saito et al. (hereinafter Saito, US Patent Number 5,323,312, issued on June 21, 1994) as applied to claims 2, 16, and 30 above, and further in view of Barry et al. (hereinafter Barry, US Patent Number 6,606,165, filed on January 8, 1999).

Regarding dependent claim 5, 7, 19, 21, 33, and 35, Adler does not disclose page objects which are in a third presentation language which is a page description language. However, Barry discloses a method in which a document is split into multiple page objects that contain the source content and formatting for one page in a different

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page description language (image bit-map) (column 1, line 24- column 3, line 11 of Barry). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the method of Adler with the method of Barry because it would have simplified the use of an output device to render a multi-paged document.

9. Claims 6, 20, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adler et al. (hereinafter Adler, Extensible Stylesheet Language (XSL) Version 1.0, published on October 18, 2000) in view of Saito et al. (hereinafter Saito, US Patent Number 5,323,312, issued on June 21, 1994) further in view of Barry et al. (hereinafter Barry, US Patent Number 6,606,165, filed on January 8, 1999) as applied to claims 5, 19, and 33 above, and further in view of Sall (as found in the IDS - FOP: Formatting Object to PDF Translator (James Tauber, published in 1999).

Regarding dependent claims 6, 20, and 34, Adler also discloses a method in which the source document (XML) and the result document (XSL-FO) may be different formats, and the result document is formatted based on the layout data structure (XSL) (pages 17-18, section 1.1 Processing a Stylesheet and pages 20-21, Section 1.1.2 Formatting). Adler also discloses a method in which multiple page objects are generated by filling the XML content into "containers", each of the objects containing the content and the information required to format the content, at which point the "containers" are rasterized into page instances which are capable of being generated by an output device (pages 20-21, Section 1.1.2 Formatting and pages 25-27, Section

1.2.1 Paging and Scrolling and Section 1.2.3 An Extended Page Layout Model). Adler does not disclose a method in which the language of the page objects is MO:DCA, a common presentation imaging language. However, Sall discloses a method in which an XML is converted to XSL-FO based on an XSL stylesheet, then based on XSL-FO convert the document to a PDF (pages 1-2 of Sall), which as defined in 1998 by McCalpin (page 3 of "Traditional Electronic Printing on the Internet") as being a common analogous presentation language to MO:DCA. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Adler with methods taught by Sall because this method was noted to be a potential replacement for typical desktop published due to formatting advantages.

Response to Arguments

10. Applicant's arguments filed 9/2/2005 have been fully considered but they are not persuasive.

Regarding the applicant's arguments on pages 10-13, in reference to claims 1, 2, 15, 16, 29, and 30, specifically the limitations, "...generating multiple page objects, wherein each page object includes the source content in the presentation language used in the source document and the determined formatting properties for one page," the examiner still contends that the invention as claimed is rejected. Adler discloses that a result tree is generated by processing the XSL document (layout data structure) and the source tree (source content) (page 18, Final Paragraph and Figure of Adler). Adler explicitly discloses that the result tree consists of objects in the "formatting object"

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namespace (page 18, Final Paragraph). Adler teaches that, "Formatting semantics are expressed in terms of a catalog of classes of formatting objects. The nodes of the result tree are formatting objects. The classes of formatting objects denote typographic abstractions such as page, paragraph, table, and so forth," (page 18, first paragraph, lines 1-4 of Adler). Adler also teaches that the formatting objects is represented as an XML element with the properties and attributes of the XML value pairs and the content of the original XML element (source content) (page 18, Final Paragraph of Adler). In other words, the result of processing the source content and the layout data structure is a result tree. This result tree consists of formatting objects which correspond to typographic abstractions such as pages, also known as "page objects". These objects contain both the formatting and the content necessary for each typographic abstraction, once again in this case that would be a page. This same rationale can be used in response to the arguments presented in reference to claims 2, 16, and 30. The amended features, "...wherein at least one page object has multiple content elements, and wherein the content elements include content to place on the pages," are not explicitly taught by Adler, which is why the 35 U.S.C 103(a) rejection was made in view of Saito, thus rendering the arguments based on these newly added limitations moot. The same rationale applied above can be used to overcome the arguments presented in reference to claims 2, 16, and 30 on pages 12 and 13.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

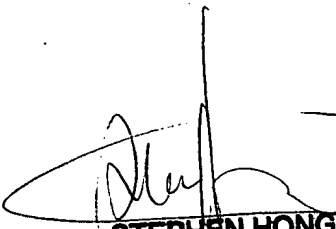
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (7:30 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC
November 15, 2005



STEPHEN HONG
SUPERVISORY PATENT EXAMINER